UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

CONSORZIO DEL PROSCIUTTO
DI SAN DANIELE

v. CA NO. 07-039 ML

DANIELE, INC.

PRETRIAL ORDER

A Rule 16 Pretrial Conference was held by the Court, Chief Judge Lisi presiding, on March 25, 2008 and, after conferencing the matter, it is hereby

ORDERED:

1. That on or before April 25, 2008, Defendant Daniele, Inc. may file a motion for summary judgment raising the issues discussed at the conference, namely whether the 2005 Settlement Agreement requires that the "different trademark" for the sale of prosciutto and ham requires that the trademark be protectable and enforceable against third parties and whether the logo, attached to the 2005 Settlement Agreement as Exhibit A, effectively serves as that "different trademark." The memorandum supporting the motion shall be no longer than 20 pages.

2. That until the Court resolves said motion for summary judgment, further discovery shall be and hereby is stayed and Defendant need not respond presently to Plaintiff's motion to compel answers to interrogatories and to production of documents. Furthermore, the dates established in prior pretrial orders are suspended until resolution of the summary judgment motion.

SO ORDERED:

Mary M. Lisi
Chief United States District Judge
April 11, 2008